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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X
BOARD OF TRUSTEES OF THE UFCW LOCAL
174 PENSION FUND,

Plaintiff,

- against -

MOTT HAVEN PACKING, CO., INC.,

Defendant.

USDC SDNY
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08 Civ 03505 (GEL) (KNF)

ORDER TO SHOW CAUSE

Upon the Affidavit of Russell L. Hirschhorn, sworn to on June 16, 2008, and the exhibits attached thereto, the Clerk's Certificate of Default, the copies of the pleadings in this matter, a copy of the affidavit of service of the original summons and complaint, all of which are submitted herewith, and upon all papers and proceedings heretofore had herein, it is

ORDERED, that defendant Mott Haven Packing, Co., Inc. show cause at a conference before the Honorable Gerard E. Lynch, U.S.D.J., at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 6B, on July 21, 2008, at 10:30 am, or as soon thereafter as counsel can be heard, why a judgment by default should not be entered in favor of plaintiffs Board of Trustees of the UFCW Local 174 Pension Fund ("Trustees") and against defendant Mott Haven Packing, Co., Inc. in the amount of \$544,076.35 for withdrawal liability, plus accrued interest, reasonable attorneys' fees, and costs; and it is

FURTHER ORDERED, that service of a copy of this Order and the supporting papers herein, via the New York State Secretary of State, upon the defendant Mott Haven Packing, Co., Inc. on or before July 9, 2008 shall be deemed good and sufficient service.

Dated: New York, New York
July 1, 2008

Gerard E. Lynch

Hon. Gerard E. Lynch,
United States District Judge